

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARIE CHANTALE JOSEPH,

Plaintiff,

v.

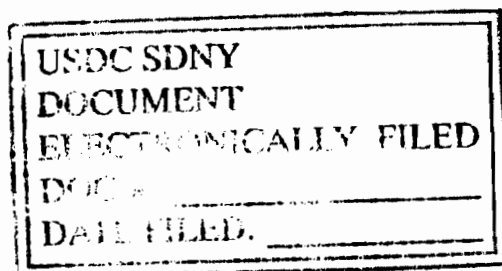
NORTHWOOD GROUP, LLC;  
CENTURY 21 WOLFF & SON BUSINESS  
BROKERS INC.;  
FREMONT INVESTMENT AND LOAN;  
WILNER LUCTAMAR;  
SG AMERICAS SECURITIES;  
GMAC MORTGAGE;  
XYZ CORPORATION, (Said name being  
fictitious, it being the intention of Plaintiff to  
designate any corporation having a legal interest  
in Plaintiff's mortgages);  
Does 1-10, (Said names being fictitious, it being  
the intention of Plaintiff to designate any  
individual or corporation responsible in some  
manner for the injuries sustained by Plaintiff),

Defendants.

Case No.: 08-CIV-3644

**DISCOVERY PLAN AND SCHEDULING ORDER****Counsel for Fremont Investment & Loan, SG Americas Securities, GMAC****Mortgage and the Plaintiff have agreed to the dates set forth below.**

**Counsel for Century 21 Wolff & Son Business Brokers Inc. and Wilner Luctamar**  
**have requested a longer discovery schedule based on the pending Rule 12 motion and their**  
**belief that the Plaintiff's complaint will need to be amended before the pleadings are**  
**closed. They request that discovery begin after the complaint is amended or at the close of**  
**pleadings.**



**Northwood Group, LLC was invited to the participate but did not participate in the development of the proposed scheduling order.**

The following Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel for the parties, pursuant to Rules 26(f) and 16 of the Federal Rules of Civil Procedure.

This case is to be tried to a jury.

Joinder of additional parties must be accomplished by October 15, 2008.

Amended pleadings may be filed until October 15, 2008.

Case dispositive motions must be filed by January 14, 2009.

### **Discovery**

1. Interrogatories are to be served by all counsel no later than September 5, 2008, and responses to such interrogatories shall be served within thirty (30) days thereafter. The provisions of Local Civil Rule 33.3 shall not apply to this case.
2. First requests for the production of documents, if any, to be served no later than July 3, 2008.
3. Depositions are to be completed by November 14, 2008.
  - a. Unless counsel agree otherwise or the Court so orders, depositions are not to be held until all parties have responded to any first requests for production of documents.
  - b. Depositions shall proceed concurrently.

c. Whenever possible, unless counsel agree otherwise or the Court so orders, non-party depositions shall follow party depositions.

4. Any further interrogatories to be served no later than October 20, 2008.

5. Requests to Admit, if any to be served no later than October 31, 2008.

6. Additional provisions relating to discovery agreed upon by counsel for the parties are not attached and made a part hereof.

7. All discovery is to be complete by December 12, 2008.

Initial Case Management Conference scheduled on June 27 at 10:00 AM.

Joint Pretrial Order is required only if counsel for all parties agree that it is desirable, or the Court so orders.

This case has been designation to the Hon. George Yantiss, United States Magistrate Judge at White Plains for discovery disputes if the Court is "unavailable" and for trial under 28 U.S.C. § 636(c) if counsel execute their consent in writing.

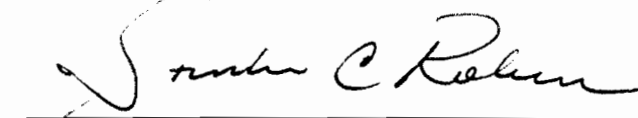
Unless otherwise ordered by the Court, the parties are expected to commence discovery upon the receipt of this signed Scheduling Order.

Strict compliance with the trial readiness date will be required. This Plan and Order may not be changed without leave of the Court, except that upon signing a Consent for Trial Before a United States Magistrate Judge, the Magistrate Judge will establish an agreed date certain for trial and will amend this Plan and Order to provide for trial readiness consistent with that agreed date.

Dated: White Plains, NY

June 4, 2008

SO ORDERED

  
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Stephen C. Robinson U.S.D.J.